



# STATE OF NEBRASKA

**Dave Heineman**  
Governor

DEPARTMENT OF MOTOR VEHICLES  
**Beverly Neth**  
Director

RECEIVED

December 12, 2011

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Mr. Gerry A. Oligmueller  
State Budget Administrator  
State Capitol, Room 1320  
Lincoln, Nebraska 68509

STATE BUDGET DIVISION

Re: NDMV Adjusted Budget Request for FY 2012-2013 – Program 70

Dear Mr. Oligmueller:

The Nebraska Department of Motor Vehicles is requesting consideration of a deficit request in Program 70 to create a new position of Commercial Driver License (CDL) Program Manager. The new position will be assigned to the Driver Licensing Division and will support the current division management structure.

A CDL is a professional license that allows employment in the transportation industries and related fields. The federal government defined the CDL Program in 1986 –Federal Motor Carrier Safety Administration (FMCSA) is the regulating body. FMCSA conducts jurisdictional compliance audits every three years. FMCSA has the authority to declare a jurisdiction noncompliant with the federal rule. Noncompliance can result in the federal government withholding federal highway funds in the amount of 5% for the first year of noncompliance and 10% for each subsequent year – a penalty equivalent to \$11 million and \$22 million respectively for Nebraska.

In the past six years, FMCSA has promulgated four major regulations that have dramatically increased regulatory oversight:

- Motor Carrier Safety Improvement Act (MCSIA);
- Hazardous Material Endorsement Fingerprinting/Background checks;
- Federal Medical Certificate - compliance date Jan 1, 2012, and;
- Commercial Driver Testing & Permitting Standards – newest rule with compliance in 2014.

There are currently, 90,894 CDL holders in NE; 22,620 annually renew or apply for a new CDL or new endorsements. There are six different types of CDL classes. The five-year CDL costs \$55.00 plus the \$2.50 security surcharge assessed to all documents.

FMCSA's newest rule, the Commercial Driver Testing & Permitting Standards rule, has 48 compliance points that require modification to meet compliance. The DMV Driver Licensing Division is not adequately staffed to provide the oversight of the implementation of the new rule. The responsibilities and duties associated with the current CDL program are shared among the Divisions' three management staff along with their other duties. Consolidating the CDL related duties under a

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new Program Manager will provide the needed attention to the CDL program while allowing the other managers more time to devote to their other duties.

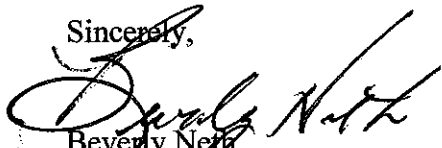
The request is for one full time Motor Vehicle Program Manager, job code G60390. The total deficit request for FY2013 is \$64,574 including \$43,053 in personal services, \$17,521 in benefits and operating costs of \$4,000 for a desk, computer, and related office supplies.

Sec. 88 of LB374, Agency 024 -- Program 70

FY2012-13	Original	Deficit Request	Requested Total
Cash Fund Appropriation	\$17,609,919	\$ 64,574	\$17,674,493
Salary Limit	\$ 7,424,160	\$ 43,053	\$ 7,467,213

Thank you for your consideration of this request. Please contact me if you have any questions or need additional information.

Sincerely,



Beverly Neff  
Director

Cc: Mike Calvert, Fiscal Office  
Sandy Sostad, Fiscal Office  
Dave Spatz, Budget Analyst